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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/016,323	
	Filing Date	December 10, 2001	
	First Named Inventor	Derek J. HEI	
	Art Unit	1651	
	Examiner Name	D. M. Naff	
Total Number of Pages in This Submission	8	Attorney Docket Number	282172000404

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page with copy) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition (2 pages) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Petition to Revive (3 pages) Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Charles D. Holland - 35,196
Signature	
Date	April 29, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV332780867US, in an envelope addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 29, 2004

Signature: (Kerry Keenan)



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,330.00

Complete if Known

Application Number	10/016,323
Filing Date	December 10, 2001
First Named Inventor	Derek J. HEI
Examiner Name	D. M. Naff
Art Unit	1651
Attorney Docket No.	282172000404

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
96	-96** =	0	x	18	=	0.00
1	-3** =	0	x	86	=	0.00
Multiple Dependent				290	=	0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)	1454			Acceptance of an unintentionally delayed claim for priority	1,330.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,330.00

SUBMITTED BY

Name (Print/Type) Charles D. Holland

Registration No. (Attorney/Agent) 35,196

(Complete if applicable)

Telephone (650) 813-5832

Signature

Date April 29, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 332780867 US, in an envelope addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 29, 2004

Signature: 

(Kerry Keehan)

Docket No.: 282172000404
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Derek J. HEI et al.

Application No.: 10/016,323

Confirmation No.: 7855

Filed: December 10, 2001

Art Unit: 1651

For: ADSORBING PATHOGEN-INACTIVATING
COMPOUNDS WITH POROUS PARTICLES
IMMOBILIZED IN A MATRIX

Examiner: D. M. Naff

**PETITION TO ACCEPT BENEFIT CLAIM UNDER 35 U.S.C. § 120 WHERE BENEFIT
CLAIM IS UNTIMELY AND AMENDMENT OF SPECIFICATION**

MS PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant(s) respectfully request allowance of the claim of benefit of the filing date of prior applications filed on January 6, 1997 for the above-identified application. The omission of the benefit claim by Applicant(s) was unintentional for the entire period from the date the claim of benefit was due for this application to the date of submission of this petition.

Applicants request the following amended first paragraph replace the existing paragraph starting on page 1, line 5 of the specification.

--CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation application of ~~coexisting~~ application Serial Number 09/112,068, filed July 8, 1998, now abandoned, which is a continuation-in-part application of ~~coexisting~~ application Serial Number 09/003,113, filed January 6, 1998, now abandoned, which is a

05/05/2004 AWONDAF1 00000085 031952 10016323

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continuation of application Serial Number 08/779,885 and of 08/779,830, each of which was filed on January 6, 1997, each of which is now abandoned. Application Serial Number 09/112,068 and 09/003,113 are each incorporated by reference in their entirety each of which is incorporated by reference in its entirety.--

Also enclosed is a copy of a Petition to Revive for application serial No. 09/112,068, from which priority is claimed, which was filed simultaneously in the U.S. Patent and Trademark Office. This copy is provided only to inform the Office that a separate Petition has been filed.

The fee required under 37 C.F.R. § 1.17(t) is submitted on Fee Transmittal form (PTO/SB/17) which is attached to this submission in duplicate. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-1952, under Order No. 282172000404.

Dated: April 29, 2004

Respectfully submitted,

By 

Charles D. Holland

Registration No.: 35,196

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5832

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV332781111US, in an envelope addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 29, 2004

Signature: 

(Tia B. Zimmerman)

Docket No.: 282172000422
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:
Derek J. HEI et al.

COPY

Application No.: 09/112,068

Confirmation No.: 7855

Filed: July 8, 1998

Art Unit: 1651

For: ADSORBING PATHOGEN-INACTIVATING
COMPOUNDS WITH POROUS PARTICLES
IMMOBILIZED IN A MATRIX

Examiner: D. M. Naff

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(B) TO ESTABLISH BENEFIT CLAIM
TO PRIOR APPLICATION AND AMENDMENT OF BENEFIT CLAIM**

MS PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant petitions for revival of the above-referenced application and its CPA application filed November 30, 2000 for the purpose of establishing a benefit claim to parent applications serial nos. 08/779,885 and 08/779,830, each filed January 6, 1997. The abandonment of this application prior to claiming the benefit of applications serial nos. 08/779,885 and 08/779,830 was unintentional.

The present application claims the benefit of only application Serial No. 09/003,113, filed January 6, 1998. Application Serial No. 09/003,113 claims the benefit of application Serial Nos. 08/779,885 and 08/779,830, each filed January 6, 1997. The last date that application Serial No. 08/779,885 was pending without payment of extension of time fees was August 14, 1998. The last date that application Serial No. 08/779,830 was pending without payment of extension of time

fees was May 6, 1998. Since application Serial No. 09/112,068 is entitled to the benefit of 09/003,113, filed January 6, 1998, and since application Serial Nos. 08/779,830, and 08/779,885 were copending with application Serial No. 09/003,113 to which 09/112,068 claims priority as explained above, 09/112,068 is entitled to claim the benefit of 08/779,830 and 08/779,885.

- ☒ Charge \$1,330.00 for the application filed July 8, 1998 to Deposit Account No. 03-1952 referencing docket no. 282172000422.
- ☒ Charge \$1,330.00 for the CPA filed November 30, 2000 to Deposit Account No. 03-1952 referencing docket no. 282172000422.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, or to credit any overpayment, to Deposit Account No. 03-1952 referencing docket no. 282172000422. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Please replace the first paragraph of the application filed July 8, 1998 with the following:

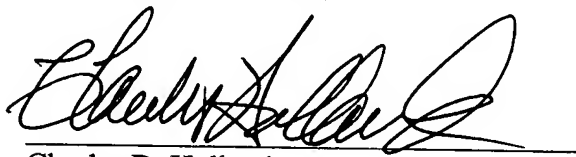
--This application is a continuation-in-part of application Serial No. 09/003,113, filed January 6, 1998, now abandoned, which is a continuation of application Serial No. 08/779,885 and a continuation of application Serial No. 08/779,830, each filed January 6, 1997 and each of which is now abandoned. Application Serial No. 09/003,113 is incorporated by reference herein in its entirety.--

Please also enter the attached application data sheets is the file for application Serial No. 09/112,068, filed July 8, 1998, and for its CPA filed November 30, 2000. The application data sheet for the CPA filed November 30, 2000 is included to make clear that Applicant claims benefit of the filing date of 08/779,885 and 08/779,830 in the CPA as well as in the originally filed application.

☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: April 29, 2004

Respectfully submitted,

By: 
Charles D. Holland
Registration No. 35,196

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